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13 Attorneys for Defendants
14 E INK HOLDINGS, INC. and E INK CORPORATION

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COPYTELE, INC., a Delaware
Corporation,

Plaintiff,

v.

AU Optronics Corporation, a
Taiwanese corporation; AU Optronics
Corporation America, a California
corporation; E INK Holdings, Inc., a
Taiwanese corporation; and E INK
Corporation, a Delaware corporation,

Defendants.

Case No. 3:13-cv-00380-MMC

**STIPULATION AND [PROPOSED]
ORDER EXTENDING DEFENDANTS E
INK HOLDINGS, INC. AND E INK
CORPORATION'S TIME TO RESPOND
TO COMPLAINT**

[Civil L. R. 6-1(a)]

WHEREAS, on January 28, 2013, Plaintiff CopyTele, Inc. (“CopyTele”) filed a complaint (“Complaint”) against Defendants E Ink Holdings, Inc. (“E Ink Holdings”), a Taiwanese corporation, and E Ink Corporation (“E Ink Corp.”), a Delaware corporation;

4 WHEREAS, E Ink Corp.'s response to the Complaint was due on February 22, 2013;

5 WHEREAS, on February 15, 2013, CopyTele and E Ink Corp. agreed and stipulated to an
6 interim extension until March 8, 2013, for E Ink Corp. to answer or otherwise respond to the
7 Complaint while the parties finish their negotiations on a final extension; and

8 WHEREAS, E Ink Holdings has agreed to waive service of summons under Rule 4 of the
9 Federal Rules of Civil Procedure and to waive any objections to the absence of a summons or
10 service under the laws of the United States and Taiwan;

11 IT IS HEREBY STIPULATED AND AGREED that:

12 1. E Ink Holdings shall waive service of summons under the Rule 4 of the Federal
13 Rules of Civil Procedure, and it shall waive any objections to the absence of a summons or
14 service under the laws of the United States and Taiwan.

15 2. Pursuant to Civil Local Rule 6-1(a), E Ink Holdings and E Ink Corp. shall have 91
16 days from the date of the filing of the complaint up to and including Monday, April 29, 2013, to
17 answer or otherwise respond to the Complaint.

18 || Dated: March 6, 2013

CROWELL & MORING LLP

/s/ Beatrice B. Nguyen

Beatrice B. Nguyen
Attorneys for Defendants
E INK HOLDINGS, INC. and
E INK CORPORATION

1 Dated: March 6, 2013

LIEFF, CABRASER, HEIMANN
& BERNSTEIN, LLP

2
3 /s/ David T. Rudolph

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5 Eric B. Fastiff
David T. Rudolf
Melissa Gardner
Attorneys for Plaintiff
6 COPYTELE, INC.

7 **ATTESTATION**

8 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
9 filing of this document has been obtained from the other signatories.

10 DATED: March 6, 2013

/s/ Beatrice B. Nguyen

11 Beatrice B. Nguyen

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13 **[PROPOSED] ORDER**

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** Defendants E Ink Holdings,
15 Inc. and E Ink Corporation shall have up and including April 29, 2013, to answer or otherwise
16 respond to the Complaint.

17 Dated: _____ 3/13 _____, 2013

